

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

Re: 1:00-cv-00436 Lewis v. De Rose

True and correct copies of the attached were mailed by the clerk
to the following:

Don Bailey, Esq.
4311 N. 6th St.
Harrisburg, PA 17110

Samuel C. Stretton, Esq.
301 South High St.
West Chester, PA 19381 Fax No.: 16106962919

Frank J. Lavery Jr., Esq.
James D. Young, Esq.
Lavery, Faherty, Young & Patterson, P.C.
301 Market St., Suite 800
Harrisburg, PA 17108-1245 Fax No.: 17172337003

cc:		
Judge	(X)	() Pro Se Law Clerk
Magistrate Judge	(X)	() INS
U.S. Marshal	()	(X) Jury Clerk
Probation	()	
U.S. Attorney	()	
Atty. for Deft.	()	
Defendant	()	
Warden	()	
Bureau of Prisons	()	
Ct Reporter	()	
Ctroom Deputy	()	
Orig-Security	()	
Bankruptcy Court	()	
Other	()	

MARY E. D'ANDREA, Clerk

DATE: July 12th, 2002

BY:


Deputy Clerk

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7-12-02
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER LEWIS,

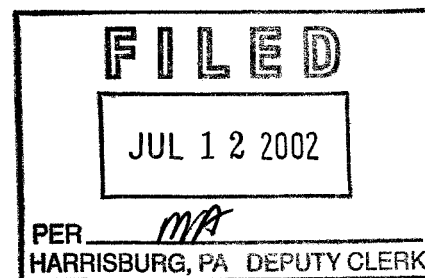
Plaintiff

v.

DOMINICK DEROSE, et al.,

Defendants

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ORDER

In accordance with the accompanying memorandum, **IT IS
THEREFORE ORDERED THAT:**

1) Defendants' renewed motion for summary judgment is granted in favor of Defendants and against Plaintiff on the retaliation issue concerning back wages and medical benefits. The Clerk of Court shall defer the entry of judgment on this issue until the conclusion of this case.

2) In all other respects, Defendants' renewed motion for summary judgment is denied.

3) The court adopts the magistrate judge's recommendation that summary judgment be granted to Defendants DeRose, Jeszenka, Garver and Drum on Plaintiff's Fourth Amendment claim (Count II).

4) The Clerk of Court shall defer the entry of the judgment in ¶ 3 above until the conclusion of this case.

4) The parties may file supplemental pretrial memoranda no later than September 26, 2002 in conformity with the local rules.

5) The pretrial conference will be held on Friday, October 4, 2002, at 11:00 a.m. in the chambers of Courtroom No. 3.

6) This case is placed on the October 2002 trial list. Jury selection for cases on the October list will begin at 9:30 a.m. on Monday, October 7, 2002, in Courtroom No. 3, Eighth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania. Trials will commence following the completion of jury selections. A date certain for trial may be discussed at the pretrial conference; however, counsel are expected to be prepared to go forward with trial at anytime during the trial term.


SYLVIA H. RAMBO
United States District Judge

Dated: July 12, 2002.

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FOR THE
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